

DOC. NO.
35-05-20-99/08/20

**OFFICE OF
VITAL
STATISTICS**

LOCAL REG NO.

CERTIFICATE OF DEATH

State of Delaware (107)

STATE FILE NUMBER

DECEDENT		DEATH CERTIFICATE OR DEATH REPORT FORM							
		STATE: DELAWARE							
MArissa R Fishman		SEX F		DATE OF DEATH (MO. DAY, YR) XXXXX888 8/30/02					
4. SOCIAL SECURITY NO. SA. AGE (YRS)		SB. UNDER 1 YEAR MONTHS DAYS	SC. UNDER 1 DAY HOURS MINUTES	SD. DATE OF BIRTH (MO. DAY, YR)		7. BIRTHPLACE (CITY AND STATE OR FOREIGN COUNTRY)			
20				7/20, DAY, YR)					
8. WAS DECEDENT EVER IN U.S. ARMED FORCES?		9. ANATOMICAL GIFT CONSENT GRANTED NOT GRANTED		10A. PLACE OF DEATH (CHECK ONLY ONE, SEE INSTRUCTIONS ON OTHER SIDE) HOSPITAL INPATIENT ERICOUTPATIENT DOA OTHER NURSING HOME RESIDENCE OTHER		10B. CITY, TOWN, OR LOCATION OF DEATH			
10B. FACILITY NAME (IF NOT INSTITUTION GIVE STREET AND NUMBER)		A. I. Dupont Hospital for Children		Wilmington		10D. COUNTY OF DEATH N.C.			
11. MARITAL STATUS - MARRIED, NEVER MARRIED, WIDOWED, DIVORCED (SPEC.)		12. SURVIVING SPOUSE (IF WIFE GIVE MARRIED NAME)		13A. DECEDENT'S USUAL OCCUPATION (KIND OF WORK DURING MOST OF WORKING LIFE, DO NOT USE RETIRED)		13B. KIND OF BUSINESS/INDUSTRY			
14A. RESIDENCE - STATE		14B. COUNTY		14C. CITY, TOWN, OR LOCATION		14D. STREET AND NUMBER			
Pennsylvania				Chadds Ford		110 Kelly Drive			
14E. INSIDE CITY LIMITS? (YES OR NO)		14F. ZIP CODE		15. WAS DECEDENT OF HISPANIC ORIGIN? (SPECIFY NO OR YES, SPECIFY CUBAN, MEXICAN, PUERTO RICAN ETC.)		16. RACE - AMERICAN INDIAN, BLACK, WHITE, ETC. (SPECIFY)			
				(Specify) NO YES		17. DECEDENT'S EDUCATION (SPECIFY UNL. HIGHEST GRADE COMPLETED) ELEMENTARY/ SECONDARY (9-12) COLLEGE (14 OR 5+)			
18. FATHER'S NAME (FIRST, MIDDLE, LAST)		19. MOTHER'S NAME (FIRST, MIDDLE, MARRIED SURNAME)							
PARENTS									
INFORMANT		20A. INFORMANT'S NAME (TYPE/PRINT)		20B. MAILING ADDRESS (STREET AND NUMBER OR RURAL ROUTE NUMBER, CITY OR TOWN, STATE, ZIP CODE)					
DISPOSITION		21A. METHOD OF DISPOSITION <input type="checkbox"/> BURIAL <input type="checkbox"/> CREMATION <input type="checkbox"/> REMOVAL FROM STATE <input type="checkbox"/> DONATION <input type="checkbox"/> OTHER (SPECIFY)		21B. PLACE OF DISPOSITION (NAME OF CEMETERY, CREMATORIUM, OR OTHER PLACE)		21C. LOCATION (CITY, TOWN, STATE)			
PRONOUNCING OFFICIAL		22A. SIGNATURE OF FUNERAL DIRECTOR ►		22B. LICENSE NUMBER (OF LICENSEE)		22C. NAME AND ADDRESS OF FACILITY Schoenberg			
EE DEFINITION IN OTHER SIDE		24. REGISTRAR'S SIGNATURE ►		25. DATE FILED (MO. DAY, YR)					
ITEMS 27-29 MUST BE COMPLETED BY PHYSICIAN OR HOS- PICE NURSE WHO PRONOUNCES DEATH		26. TO THE BEST OF MY KNOWLEDGE DEATH OCCURRED AT THE TIME, DATE, AND PLACE STATED ►		26B. LICENSE NUMBER		26C. DATE SIGNED (MO. DAY, YR)			
27. TIME OF DEATH 7:03		28. DATE PRONOUNCED DEAD (MO. DAY, YR) 08 - 30 - 02		28. WAS CASE REFERRED TO MEDICAL EXAMINER? (YES OR NO) YES					
CERTIFIER		30A. CERTIFIER (CHECK ONLY ONE) <input checked="" type="checkbox"/> PRONOUNCING AND CERTIFYING PHYSICIAN (Physician certifying cause of death when another physician has pronounced death and completed Item 26) <input checked="" type="checkbox"/> To the best of my knowledge, death occurred due to the cause(s) and manner as stated.							
		<input checked="" type="checkbox"/> MEDICAL EXAMINER On the basis of examination, history, autopsy, or other means, I certify that death occurred at the time, date, and place, and due to the cause(s) and manner as stated.							
30B. SIGNATURE AND TITLE OF CERTIFIER MD		30C. LICENSE NUMBER		30D. DATE SIGNED (MO. DAY, YR) 8/30/02					
30E. SIGNATURE AND ADDRESS OF CERTIFIER WHO COMPLETED CAUSE OF DEATH (ITEM 40) (TYPE/PRINT)		GLENN STRYJEWSKI, M.D. A.I. duPont Hospital 1600 Rockland Road Wilmington DE 19899							
32A. WAS AN AUTOPSY PERFORMED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		32B. MANNER OF DEATH <input type="checkbox"/> NATURAL <input checked="" type="checkbox"/> ACCIDENT <input type="checkbox"/> SUICIDE <input type="checkbox"/> HOMICIDE <input type="checkbox"/> UNKNOWN <input type="checkbox"/> INVESTIGATION <input type="checkbox"/> UNDETERMINED		34C. DATE OF INJURY 8/30/02		32D. DESCRIBE HOW INJURY OCCURRED Child fell into pool			
32F. WERE AUTOPSY RESULTS AVAILABLE PRIOR TO COMPLETION OF CAUSE OF DEATH? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		35. TIME OF INJURY 7:00 PM		35. PLACE OF INJURY (NAME, STREET, FACTORY, OFFICE BUILDING, ETC. (SPECIFY)) Inland Pools Home					
40. PART I DO NOT ENTER THE MODE OF DYING SUCH AS CARDIAC OR RESPIRATORY ARREST, SHOCK, OR HEART FAILURE, LIST ONLY ONE CAUSE PER EACH LINE		APPROXIMATE INTERVAL BETWEEN CASES AND DEATH							
IMMEDIATE CAUSE (FINAL DISEASE, INJURY OR CONDITION THAT IN YOUR OPINION CAUSED THE DEATH)		IMMEDIATE CAUSE W Drawing							
SEQUENTIALLY LIST CONDITIONS, IF ANY, LEADING TO DEATH. ENTER EACH ENTERING CAUSE (DISEASE OR INJURY WHICH INITIATED EVENTS RESULTING IN DEATH) LAST		DUE TO (B)							
		DUE TO (C)							
		DUE TO (D)							
PART II OTHER SIGNIFICANT CONDITIONS									
CONTRIBUTING TO CAUSE OF DEATH									

**TO HOSPITAL OR PHYSICIAN — DELAWARE LAW
REQUIRES THAT THE DEATH CERTIFICATE BE
EXECUTED WITHIN 72 HOURS AFTER DEATH**

In The Matter Of:

*James H. Gorbey, Jr. v.
Ashland Construction Co., et al.*

*Vincent Rizzo
December 30, 2004*

*B&R Services for Professionals, Inc.
235 S. 13th Street
Philadelphia, PA 19107
(215) 546-7400
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Word Index included with this Min-U-Script®

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[1] My name is Mike Small. I represent
[2] Ashland Construction Company, Vincent
[3] Rizzo Construction, Inc. doing business
[4] as Ashland Construction Company, Joseph
[5] Rizzo and Vincent Rizzo.

[6] We had an off the record discussion
[7] in that we were trying to figure out the
[8] entities that were named by the
[9] plaintiff in this case. I informed Mr.
[10] Casey that the only entity in business
[11] at that time was Ashland Construction,
[12] Inc., was owned by Joseph Rizzo and
[13] Vincent Rizzo. That was the entity that
[14] was on-site at the Longwill residence on
[15] the date of this incident.

[16] Vincent Rizzo Construction Company
[17] did not exist at the time of this
[18] incident. And as far as Joseph Rizzo
[19] and Sons Construction, I do not
[20] represent them but it is my
[21] understanding that they are owned by a
[22] relative of Joseph and Vincent Rizzo and
[23] neither Mr. Rizzo or Joseph Rizzo worked
[24] for that company or have any ownership

[1] Q. I'm doing fine, thank you. This should
[2] be rather brief and I appreciate you're taking
[3] the time to do this today. Can I have your
[4] give full name?
[5] A. Vincent J. Rizzo.
[6] Q. What is your home address?
[7] A. 16 Holly Lane, Wilmington, Delaware
[8] 19807.
[9] Q. Sir, in August of 2002 did you own, in
[10] part, own a company called Ashland Construction
[11] Company, Incorporated?
[12] A. That's correct, sir.
[13] Q. Who else owned Ashland Construction
[14] Company, Incorporated in August of 2000?
[15] A. It was a partnership between my brother
[16] and I, which was --
[17] Q. What is your brother's name?
[18] A. Joseph P. Rizzo.
[19] Q. What is Joseph P. Rizzo's home address?
[20] A. 900 Butler Avenue, that is Wilmington,
[21] Delaware, the zip, I'm not sure of the zip
[22] code.
[23] Q. Did you and your brother, Joseph, own
[24] Ashland Construction Company, Incorporated as a

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[1] interest, do not having any contact with
[2] it other than being familiar, like a
[3] cousin.

[4] MR. CASEY: Thank you, Mr. Small.

[5] MR. SMALL: Can you hear us okay?

[6] MR. CASEY: I can.

[7] MR. SMALL: If you have any problems
[8] let us know. Like I said, Vincent Rizzo
[9] is here to testify regarding
[10] jurisdiction today, pursuant to Judge
[11] Brody's order. And we are still doing a
[12] search for any documents regarding the
[13] Longwill residence.

[14] MR. CASEY: Right. There is
[15] outstanding discovery other than the
[16] jurisdiction issue. And I understand
[17] you will be getting that to me.

[18] MR. SMALL: It is being mailed out
[19] but we are still doing a document search
[20] as that is much more extensive.

[21] MR. CASEY: All right, thank you.

[22] BY MR. CASEY:

[23] Q. Mr. Rizzo, good morning.

[24] A. Good morning, how are you.

[1] partnership on August 30, 2002?
[2] A. That is correct, sir.
[3] Q. Since that date has the ownership of the
[4] company changed in any respect?
[5] A. Actually since, since that date the
[6] company is no longer in business.
[7] Q. As of what date was it no longer in
[8] business?
[9] A. I would say as of November.
[10] Q. 2004?
[11] A. 2004, yes.
[12] Q. Did any corporate entity, or partnership
[13] take the place of Ashland Construction Company,
[14] Incorporated?
[15] A. No. I mean, it is, I mean Ashland
[16] Construction was dissolved. And that was the
[17] extent of it. Ashland was not operating as a
[18] company name.
[19] Q. Do you recognize the entity Vincent Rizzo
[20] Construction Company, Incorporated?
[21] A. Correct.
[22] Q. You do recognize it?
[23] A. It is, I don't understand the question.
[24] Q. Do you recognize that entity? Do you

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[11] know what it is?
[12] A. It is Vincent Rizzo Construction, yes.
[13] Q. What is it?
[14] A. It is actually, it's a Construction Company, that doesn't, it doesn't really operate as construction. It's just a property holder where our office is at.
[15] Q. What is the relationship, if any, or what was the relationship, if any, between Ashland Construction Company, Incorporated and Vincent Rizzo Construction Company, Incorporated?

MR. SMALL: As of what time?

BY MR. CASEY:

Q. As of at any time since August 30, 2002 and including that date, sir?

MR. SMALL: Do you know when Vincent Rizzo Construction Company started to exist?

THE WITNESS: Actually Vincent Rizzo existed for a period of time, that was actually my father's company. It was actually a union shop way back when. But the actual company now, the company never operated in the construction

[11] Q. I understand I think. Did Ashland Construction Company, Incorporated have any of its employees on the premises of the 3220 Coachman Road address on August 30, 2002?
[12] A. Yes, it was myself and a laborer, a helper, which was Salvador Ortiz.
[13] Q. Were there any other persons affiliated with Ashland Construction Company, Incorporated on the premises of 3220 Coachman Road on August 30, 2002 besides yourself and Mr. Ortiz?
[14] A. No, sir.
[15] Q. Where does Salvador Ortiz live?
[16] A. Mexico. As far as an address in Mexico, I have no clue what it is.
[17] Q. When did he return to Mexico?
[18] A. I would say over a year and a half ago.
[19] Q. Was he in this country legally as of August 30, 2002?

MR. SMALL: Objection, this is for jurisdiction for Ashland Construction, Vincent Rizzo Construction, Joseph Rizzo. He is not party. This is beyond Judge Brody's order. I'm going to instruct him not to answer.

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[11] field. It just held the property where our office was.

BY MR. CASEY:

Q. As of August 30, 2002, on that date, did Vincent Rizzo Construction Company, Incorporated exist?

A. As of that date, the actual, the company was to hold, held the property. Yes, there was a Vincent Rizzo Construction Company.

Q. On that date, August 30, 2002?

A. Correct.

Q. Were any persons affiliated with Vincent Rizzo Construction Company, Incorporated on the premises at 3220 Coachman Road in Wilmington on August 30, 2002?

A. No, sir.

Q. What was your affiliation with Vincent Rizzo Construction Company, Incorporated as of August 30, 2002?

A. It was just a property holder, the company never operated as construction, it just held property.

Q. Did the company have any employees?

A. No, sir.

[11] **MR. CASEY:** Mike, the reason I'm asking, at this juncture, is it does relate to venue and jurisdiction. At least it's reasonably calculated to. What I'm interested in knowing is where he came across Mr. Ortiz and if he is in this country, was in this country legally, I could obtain additional documentation to that effect.

I want to learn whether, for example, Mr. Rizzo recruited Mr. Ortiz from Pennsylvania or Philadelphia, that's why I'm asking the question.

MR. SMALL: You can ask that question, that's a totally different question than what you asked.

MR. CASEY: If he is in the country legally then there would be documentation to that effect and I can find out where the man hales from. That is the reason I'm asking.

BY MR. CASEY:

Q. What is your understanding, sir, of Mr. Ortiz' citizenship status as of the time that

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[1] you employed him?
 [2] A. At the time he had a license number, a
 [3] Social Security number, what it was, which I
 [4] have to get back to my secretary and find out
 [5] as far as all the paperwork and what she
 [6] received on him. I mean, as far as I know,
 [7] that's about as far as I can tell you about his
 [8] status.
 [9] Q. Was he on your payroll?
 [10] A. Yes.
 [11] Q. As of August 30, 2002?
 [12] A. Yes.
 [13] Q. You employed him on that date, sir?
 [14] A. Yes.
 [15] Q. Did your brother, Joseph Rizzo, have any
 [16] role in the work that was being done at the
 [17] 3220 Coachman Road address on August 30, 2002?
 [18] A. No, sir.
 [19] Q. What was his role in the company as of
 [20] that date, August 30, 2002?
 [21] A. He was president of the company.
 [22] Q. What was the business address of Ashland
 [23] Construction Company on August 30, 2002?
 [24] A. PO Box, actually, the actual mailing

[1] work, block, brick, stones, stucco. Anything
 [2] that falls in the masonry lines.
 [3] Q. What was the mix of your work between
 [4] residential and business masonry work?
 [5] A. I'm not, I don't understand the question.
 [6] Q. To what extent did you work at homes as
 [7] compared to, you know, businesses addresses,
 [8] like for companies, for example?
 [9] A. I'm not following his question.
 [10] MR. SMALL: He is still not following
 [11] your question.
 [12] BY MR. CASEY:
 [13] Q. Did you do primarily residential masonry
 [14] work?
 [15] A. We did residential and we did commercial
 [16] also.
 [17] Q. That's the word I should have used,
 [18] commercial.
 [19] A. I was trying to understand what you were
 [20] trying to ask.
 [21] Q. The word didn't come out, I apologize.
 [22] What was the mix of your work as between
 [23] residential and commercial?
 [24] A. As far as percentage, how much commercial

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[1] address was PO Box 283. That was Manchannin,
 [2] Delaware, 19710.
 [3] Q. That was PO box?
 [4] A. 283.
 [5] Q. And where did you actually have your
 [6] physical plant where you worked?
 [7] A. That was actually at 1800 West 11th
 [8] Street.
 [9] Q. In Wilmington?
 [10] A. Yes.
 [11] Q. Did you have any other business
 [12] addresses, that is Ashland Construction
 [13] Company, Incorporated?
 [14] A. No.
 [15] Q. What was your position at the company as
 [16] of August 30, 2002?
 [17] A. Vice-president, secretary, and I guess
 [18] all the other things that went into it.
 [19] Q. In what business was Ashland Construction
 [20] Company, Incorporated on August 30, 2002?
 [21] A. I'm sorry, repeat that.
 [22] Q. What did you folks do, what was your
 [23] business?
 [24] A. Our main line is all masonry concepts of

[1] as compared to residential?
 [2] Q. Yes.
 [3] A. I guess I really have to say probably
 [4] about fifty/fifty. I would say actually the
 [5] bulk of it is residential that we do, I would
 [6] probably say about 45 percent commercial.
 [7] Q. Did Ashland Construction Company,
 [8] Incorporated ever do masonry work in the
 [9] Commonwealth of Pennsylvania?
 [10] A. Gosh, it is so small. I mean, it is such
 [11] a small amount, if anything.
 [12] Q. My question is did Ashland Construction
 [13] Company ever do masonry work in Pennsylvania?
 [14] A. Yes.
 [15] Q. When did Ashland Construction Company
 [16] first do masonry work in the Commonwealth of
 [17] Pennsylvania, approximate date?
 [18] A. I cannot even begin to answer that
 [19] question, I have no idea.
 [20] Q. Do you have records, do you believe, that
 [21] would reflect your Pennsylvania clients?
 [22] A. I would have to go back and check. If
 [23] anything for, if anything I would have to check
 [24] to see, it's probably most likely would be

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[1] residential, which I would have to check on them records.

[2] Q. My question is do you believe you have records that would reflect your Pennsylvania clients?

[3] A. I don't understand that question.

[4] MR. SMALL: He doesn't understand, Matt.

[5] BY MR. CASEY:

[6] Q. Do you keep records, sir, that if one were to search, one would be able to determine precisely those clients of yours that hale from Pennsylvania?

[7] A. If so, I mean, it's so small, I mean, I would not even know. Like I said, there's a very little bit amount of work we do in Pennsylvania.

[8] Q. My question though, sir, is different than, I know you want to tell me it's a small amount. I just want to know, first very basically, do you believe that documents exist that would tell a person, searching for documents, relating to Pennsylvania, precisely who your Pennsylvania clients are?

[1] Pennsylvania, where specifically?

[2] A. I mean, we did a couple, actually my brother may have done a little bit up there for homeowners, a couple small jobs for them. That's the extent of it.

[3] Q. When did that occur?

[4] A. I don't even know the dates what it would have been.

[5] Q. Did you ever do work in Pennsylvania?

[6] A. Small amounts.

[7] Q. I know it's small amounts. My question is, if you would, just listen to my question. My question at this point is, did you ever do work in Pennsylvania? The answer to that I assume is yes?

[8] A. Correct.

[9] Q. When did you last do work in the Commonwealth of Pennsylvania?

[10] MR. SMALL: Matt, you want his best estimate?

[11] BY MR. CASEY:

[12] Q. Sure.

[13] A. I would say probably six months, seven months ago.

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[1] A. No, I doubt it. I mean I can, the only one I would be able to check would be my bookkeeper and see if she can go back that far and whatever she could find into it, into my file.

[2] Q. What do you mean when you say go back that far?

[3] A. I mean, go back a year and see if there are documents in there for Pennsylvania, but I doubt there would even be, because there's such a little amount of work that was done.

[4] Q. I will give you the opportunity now to tell me, if you would, in more detail what you mean when you say a little amount. Can you give me a percentage of your business?

[5] A. Less than one percent.

[6] Q. How much money do you believe your company has earned in gross receipts, not profit, in gross receipts, from masonry work done in the Commonwealth of Pennsylvania?

[7] A. Gosh, four, maybe five thousand, if that seven, maybe in that area, that's what the amount would be.

[8] Q. Where did your company do work in

[1] Q. Where?

[2] A. Actually Lomax Carpet.

[3] Q. Lomax Carpet in Philadelphia?

[4] A. In Philadelphia.

[5] Q. For whom were you doing work at Lomax Carpet in Philadelphia?

[6] A. Actually for, actually John Manger got a hold of me and said we need to do a little bit of work up in that area.

[7] Q. Who is that person, sir?

[8] A. He is actually Air Base Carpet's construction manager.

[9] Q. Can you spell his last name?

[10] A. M A N G E R.

[11] Q. Where does he work out of?

[12] A. As far as if --

[13] Q. If you wanted to find him, where would you call?

[14] A. Actually I would call Air Base Carpet in New Castle.

[15] Q. And Mr. Manger, who to your understanding, works out of the New Castle building, called you and told you that he wanted you to do some work at the Lomax Carpet

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[1] address in Philadelphia?
 [2] A. Correct.
 [3] Q. What did you do?
 [4] A. Gosh, just re-pointing up a wall inside
 [5] the stair tower.
 [6] Q. How much did you charge them for that
 [7] job?
 [8] A. I think right around seven thousand.
 [9] Q. I would like you, if you would, to have
 [10] your office check for the receipts from that
 [11] job specifically?
 [12] A. Yes.
 [13] Q. Towards the end of answering my discovery
 [14] request on the subject of contacts with the
 [15] Commonwealth of Pennsylvania. Will you do
 [16] that?
 [17] A. Yes.
 [18] Q. Did Ashland Construction Company, Inc. do
 [19] any masonry work at any other carpet marts in
 [20] the Commonwealth of Pennsylvania besides Lomax
 [21] on that date of approximately six months ago?
 [22] A. No, sir.
 [23] Q. How many times have you, yourself, been
 [24] to the Lomax Carpet address?

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[1] A. I would probably say every bit of a dozen
 [2] times, half a dozen times, I go up and take a
 [3] look at some stuff that was, needed to be done
 [4] up there. Or just different issues, a little
 [5] bit of advice of what had to be done with
 [6] certain things.
 [7] Q. I'm sorry, you have been there about a
 [8] half a dozen times?
 [9] A. I would say about a half a dozen.
 [10] Q. Were you ever at that address other than
 [11] the job that you told me about that you did
 [12] about six months ago?
 [13] A. No.
 [14] Q. So the times that you were there were
 [15] specifically relating to the job that you did
 [16] approximately six months ago at the Lomax
 [17] Carpet address?
 [18] A. Correct.
 [19] Q. On how many occasions do you believe that
 [20] Ashland Construction Company, Inc. did work for
 [21] Air Base Carpet Mart or any of its affiliates?
 [22] MR. MINTZER: Objection to the form.
 [23] MR. SMALL: Again, when you're
 [24] talking about work, are you talking in

[1] Delaware or in Pennsylvania?
 [2] MR. CASEY: Any work.
 [3] MR. MINTZER: I object to the phrase
 [4] and any other of its affiliates.
 [5] MR. CASEY: I understand that
 [6] objection. To the extent the witness
 [7] understands the question I would like to
 [8] know, to what extent Ashland
 [9] Construction Company, Inc. did work for
 [10] Air Base.
 [11] MR. SMALL: That's a different
 [12] question.
 [13] MR. CASEY: Why don't you let him
 [14] answer the question. You can state your
 [15] objection and we can probably get
 [16] through this.
 [17] MR. MINTZER: Objection to that last
 [18] question.
 [19] THE WITNESS: Repeat the question.
 [20] BY MR. CASEY:
 [21] Q. Sir, tell me the extent to which Air Base
 -- I'm sorry, Ashland Construction Company,
 [22] Inc. did work for Air Base?
 [23] A. When you say extent, I don't know what
 [24]

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[1] [2] [3] [4] [5] [6] [7] [8] [9] [10] [11] [12] [13] [14] [15] [16] [17] [18] [19] [20] [21] [22] [23] [24]

MR. SMALL: That is clearly not what you requested in the production for documents.

BY MR. CASEY:

Q. Did you search for any such documents?

MR. SMALL: I'm going to object to the form. You keep asking him the same question.

MR. CASEY: And it has not been answered.

BY MR. CASEY:

Q. Sir, have you searched for any such documents?

MR. SMALL: Just don't answer the question. This is getting ridiculous, Matt.

MR. CASEY: All right. Mark that page also.

BY MR. CASEY:

Q. Sir, where physically would you look, if you wanted to find documents relating to your business activities with your Ridley Park supplier?

A. I mean, as far as where my materials

[1] [2] [3] [4] [5] [6] [7] [8] [9] [10] [11] [12] [13] [14] [15] [16] [17] [18] [19] [20] [21] [22] [23] [24]

Construction doesn't exist, as he testified to earlier. It ended November 2004, how would there be a bookkeeper?

MR. CASEY: Mike, why don't you let him answer that question?

THE WITNESS: No, there is not a bookkeeper for Ashland as of this time.

BY MR. CASEY:

Q. Where are the records located today?

MR. SMALL: Again, don't answer the question. You're going through the same question eight times. You're not going to get the answer.

BY MR. CASEY:

Q. Sir, was the job that you were doing at the Coachman Road address, in any respect, a block job?

A. No, sir.

Q. Where did you receive the materials for the job that you were doing at the Coachman Road address?

A. Delaware Brick.

Q. Sir, do you own any property, you yourself?

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would go?

Q. Where would the documents be located?

A. Certainly within the filing system, which the bookkeeper would have kept.

Q. Where is that filing system located?

MR. SMALL: Again, we're going around in circles. Don't answer that question.

We're doing a search, an ongoing search but you're not going to go in and rifle through the files. That is exactly what is not going to happen.

BY MR. CASEY:

Q. Where are the files located?

MR. SMALL: Don't answer the question.

MR. CASEY: Mark that page too.

BY MR. CASEY:

Q. Is there a bookkeeper today, sir?

A. No.

MR. SMALL: Again, for which entity?

BY MR. CASEY:

Q. For any of Ashland Construction Company, Incorporated's documents?

MR. SMALL: As of today Ashland

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A. I mean as far as where I live at?

Q. Do you own any properties?

A. Well, where I live, my house.

Q. Other than your house, do you own any other properties?

A. I got, actually a place, actually a place on Maple Avenue in Elsmere.

Q. Where is that, in Delaware?

A. That's in Delaware.

Q. Do you own any properties in Pennsylvania?

A. No, sir.

Q. Where did Ashland Construction Company, Inc. deposit money, if any bank?

A. WSFS.

Q. Can you spell that out?

A. Wilmington Savings Fund Society.

Q. Did Ashland Construction Company, Inc. receive any materials from any Pennsylvania entity other than the Ridley Park supplier?

A. No.

Q. Other than actual masonry work that you would do, upon being hired for a job, did Ashland Construction Company Inc. engage in any